

A CERTIFIED TRUE COPY

OCT 25 2005

ATTEST: *John Bishop*  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

A TRUE COPY CERTIFIED TO FROM THE RECORD

DATED: 10-31-05

ATTEST: *Shaw*

DEPUTY CLERK, UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

OCT - 7 2005

FILED  
CLERK'S OFFICE

DOCKET NO. 875

~~BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION~~

*TILED*

ASHEVILLE, N. C.

*1:05cv278 ; 1:05cv284 ; 1:05cv296 (1:05cv 297)*

(SEE ATTACHED SCHEDULE)

NOV - 4 2005

U.S. DISTRICT COURT  
W. DIST. OF N. C.

CONDITIONAL TRANSFER ORDER (CTO-253)

On July 29, 1991, the Panel transferred 21,937 civil actions to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 80,013 additional actions have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable Charles R. Weiner.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Weiner.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of July 29, 1991, 771 F.Supp. 415 (J.P.M.L. 1991), and, with the consent of that court, assigned to the Honorable Charles R. Weiner.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is pending at this time, the stay is lifted.

OCT 25 2005

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

*Michael J. Beck*

Michael J. Beck  
Clerk of the Panel

SCHEDULE CTO-253 - TAG ALONG ACTIONS - MDL-875

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DIST. DIV. C.A. #

CASE CAPTION

NORTH CAROLINA MIDDLE

NCM 1 05-750

David Thomas Lambeth, Jr., et al. v. Airco, Inc., et al.

NORTH CAROLINA WESTERN

NCW 1 05-278

Loris D. Moree v. A.W. Chesterton, Inc., et al.

NCW 1 05-284

James R. Scott, et al. v. A.W. Chesterton, Inc., et al.

NCW 1 05-296

F. Kenneth Terry, II, et al. v. Aqua-Chem, Inc., et al.

NCW 1 05-297

David Allen Mathis, et al. v. Aqua-Chem, Inc., et al.

NEW YORK EASTERN

NYE 1 05-3564

Catherine G. O'Leary v. A.W. Chesterton Co., et al.

NYE 1 05-3821

Verlene Broughton, etc. v. A.W. Chesterton Co., et al.

NYE 1 05-4061

Thomas L. Armijo, etc. v. A.W. Chesterton Co., et al.

NYE 1 05-4122

Kimberly Clark, etc. v. A.W. Chesterton Co., et al.

SOUTH CAROLINA

SC 2 05-2592

James Leroy Cooper v. Aqua-Chem, Inc., et al.

SC 2 05-2593

Robert C. Loveland, et al. v. Aqua-Chem, Inc., et al.

TEXAS SOUTHERN

~~TXS 4 05-1251~~

~~Kimberly Dutton, etc. v. General Electric Co., et al.~~ Opposed 10/18/05

WASHINGTON WESTERN

~~WAW 2 05-1241~~

~~Steven McAboy, etc. v. IMO Industries, Inc., et al.~~ Opposed 10/21/05